

EXHIBIT A



Wolters Kluwer

CT Corporation
Service of Process Notification

05/17/2023

CT Log Number 543875932

Service of Process Transmittal Summary

TO: Registered Agent Department
Business Filings Incorporated (Recipient Account Only)
8020 Excelsior Dr Ste 200
Madison, WI 53717-1998

RE: Process Served in California

FOR: Better Holdco, Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: Stacey Waller Barnes // To: Better Holdco, Inc.

CASE #: C2301076

NATURE OF ACTION: Employee Litigation - Wrongful Termination

PROCESS SERVED ON: Business Filings Incorporated, Sacramento, CA

DATE/METHOD OF SERVICE: By Process Server on 05/17/2023 at 13:00

JURISDICTION SERVED: California

ACTION ITEMS: CT will retain the current log
Image SOP
Email Notification, Registered Agent Department ctsop@bizfilings.com

REGISTERED AGENT CONTACT: Business Filings Incorporated
555 Capitol Mall
Suite 1000
Sacramento, CA 95814
844-832-8351
CTService@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



PROCESS SERVER DELIVERY DETAILS

Date: Wed, May 17, 2023
Server Name: Jimmy Lizama

Entity Served	BETTER HOLDCO, INC DBA BETTER.COM
Case Number	C23-01076
Jurisdiction	CA

Inserts		



SUM-100

SUMMONS (CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT: (AVISO AL DEMANDADO):

Better Holdco, Inc. DBA Better.com; Vishal Garg; and Does 1 to 100.

YOU ARE BEING SUED BY PLAINTIFF: (LO ESTÁ DEMANDANDO EL DEMANDANTE):

Stacey Waller Barnes

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.**

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es): Wakefield Taylor Courthouse

725 Court Street, Martinez, CA 94553

CASE NUMBER:

(Número del Caso): C23-01076

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Richard L. Richardson SBN:250676; Siegal & Richardson LLP; 436 14th St., Suite 1106 Oakland, CA 94612 (510.271.6723)

DATE: 5/5/2023 12:59 PM

(Fecha)

Clerk, by

(Secretario)

/s/ T. Jacobsen-Rios

, Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]



NOTICE TO THE PERSON SERVED: You are served

- ☐ as an individual defendant.
- ☐ as the person sued under the fictitious name of (specify):
Better Holdco, Inc. DBA Better.com
- ☒ on behalf of (specify):

under: ☒ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ other (specify):

☐ CCP 416.60 (minor)

☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (authorized person)

- ☐ by personal delivery on (date):

PLD-PI-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Richard L. Richardson SBn: 250676 Siegal & Richardson LLP 436 14th Street, Suite 1106 Oakland, California 94612 TELEPHONE NO: 510.271.6723 FAX NO. (Optional): 510.500.9512 E-MAIL ADDRESS (Optional): richard@rrichardsonlaw.com ATTORNEY FOR (Name): Plaintiff	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA; COUNTY OF Contra Contra STREET ADDRESS: 725 Court Street MAILING ADDRESS: CITY AND ZIP CODE: Martinez California 94553 BRANCH NAME: Wakfield Taylor Courthouse	Per local Rule, This case is assigned to Judge Maier, Clare, for all purposes.
PLAINTIFF: Stacey Waller Barnes DEFENDANT: Better Holdco, Inc. DBA Better.com; Vishal Garg; and <input checked="" type="checkbox"/> DOES 1 TO 100.	SUMMONS ISSUED
COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input type="checkbox"/> AMENDED (Number): Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input checked="" type="checkbox"/> OTHER (specify): Wrongful Termination <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Personal Injury <input type="checkbox"/> Other Damages (specify): Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	CASE NUMBER: C23-01076

1. Plaintiff (name or names): Stacey Waller Barnes
alleges causes of action against defendant (name or names):
Better Holdco, Inc. DBA Better.com; Vishal Garg; and Does 1 to 100.
2. This pleading, including attachments and exhibits, consists of the following number of pages:
3. Each plaintiff named above is a competent adult
 - a. ☐ except plaintiff (name):
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - (5) ☐ other (specify):
 - b. ☐ except plaintiff (name):
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe):
 - (3) ☐ a public entity (describe):
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
 - (5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

Page 1 of 3

SHORT TITLE:

Barnes v. Better Holdco, Inc. et al.

CASE NUMBER:

4. ☐ Plaintiff (name):
is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

- a. ☒ except defendant (name): Better Holdco, Inc.

(1) ☐ a business organization, form unknown

(2) ☒ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

- c. ☐ except defendant (name):

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

- b. ☐ except defendant (name):

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

- d. ☐ except defendant (name):

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

- a. ☒ Doe defendants (specify Doe numbers): 1 to 100 were the agents or employees of other named defendants and acted within the scope of that agency or employment.

- b. ☒ Doe defendants (specify Doe numbers): 1 to 100 are persons whose capacities are unknown to plaintiff.

7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

a. ☒ at least one defendant now resides in its jurisdictional area.

b. ☒ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.

c. ☒ injury to person or damage to personal property occurred in its jurisdictional area.

d. ☐ other (specify):

9. ☒ Plaintiff is required to comply with a claims statute, and

a. ☒ has complied with applicable claims statutes, or

b. ☐ is excused from complying because (specify):

SHORT TITLE:

Warren Barnes v. BH et al.

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
- b. ☐ General Negligence
- c. ☒ Intentional Tort
- d. ☐ Products Liability
- e. ☐ Premises Liability
- f. ☐ Other (specify):
Wrongful Termination; Termination in Violation of Public Policy; Discrimination; Failure to Prevent Discrimination; NIED; IIED; B&P 17200;

11. Plaintiff has suffered

- a. ☒ wage loss
- b. ☐ loss of use of property
- c. ☐ hospital and medical expenses
- d. ☒ general damage
- e. ☐ property damage
- f. ☒ loss of earning capacity
- g. ☒ other damage (specify):
damaged professional reputation; loss business opportunities;

12. ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☐ as follows:

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
 - (2) ☒ punitive damages
- The amount of damages is (in cases for personal injury or wrongful death, you must check (1)):
- (1) ☒ according to proof
 - (2) ☐ in the amount of: \$

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: 5/5/2023

Richard L. Richardson

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY)

SHORT TITLE:

Waller Barnes v. Better Holdings, Inc. et al.

CASE NUMBER

1

(number)

CAUSE OF ACTION—Intentional Tort

Page

4ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

IT-1. Plaintiff (name): Stacey Waller Barnes

alleges that defendant (name): Better Holding, Inc.; and Vishal Garg; and

☒ Does 1 to 100.

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff

on (date): 12/2/2021

at (place): 2010 Crow Canyon Pl. San Ramon, CA

(description of reasons for liability):

WRONGFUL TERMINATION IN VIOLATION OF PUBLIC POLICY

On or about 2021, Plaintiff was employed as a mortgage underwriter and quality control manager for Defendant Better Holding, Inc. doing business as Better.com mortgages. Plaintiff has an impressive upstanding reputation in her field. Defendant Vishal Garg was the chief operating officer managing and operating Better.com. From approximately 8/11/2021 to 10/11/2021, Plaintiff was out from work suffering from a documented disability due to contracting a near fatal case of covid. Plaintiff returned to work on 10/11/2021. Defendants failed to accomodate Plaintiff's known disability. On or about December 2, 2021, acting with full knowledge of Plaintiff's disability, Defendant BH terminated Plaintiff from her job. Even worse, Defendant Garg released a video statement claiming that Plaintiff and others terminated at the same time were lazy, refused to work, and fraudulently stole from the company. These statements were false. In fact, Plaintiff's disability was the substantial motivating reason for Defendant terminating her employment. Plaintiff was harmed in that she loss career oppunities, job offers, income, and suffered emotional distress and a damaged professional reputation in an amount to be proven at trial.

Plaintiff has complied with all claims statutes and has received a right to sue letter from the Department of Fair Employment and housing.

SHORT TITLE:

Waller Barnes v. Better Holdings, Inc. et al.

CASE NUMBER

2

(number)

CAUSE OF ACTION—Intentional TortPage 5ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

IT-1. Plaintiff (name): Stacey Waller Barnes

alleges that defendant (name): Better Holding, Inc.; and Vishal Garg; and

☒ Does 1 to 100,

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff

on (date): 12/2/2021

at (place): 2010 Crow Canyon Pl. San Ramon, CA

(description of reasons for liability):

DISCRIMINATION IN VIOLATION OF CAL GOV'T CODE SEC. 12940(a) et seq.

On or about 2021, Plaintiff was employed as a mortgage underwriter and quality control manager for Defendant Better Holding, Inc. doing business as Better.com mortgages. Plaintiff has an impressive upstanding reputation in her field. Defendant Vishal Garg was the chief operating officer managing and operating Better.com. From approximately 8/11/2021 to 10/11/2021, Plaintiff was out from work suffering from a documented disability due to contracting a near fatal case of covid. Plaintiff returned to work on 10/11/2021. Defendants failed to accomodate Plaintiff's known disability. On or about December 2, 2021, acting with full knowledge of Plaintiff's disability, Defendant BH terminated Plaintiff from her job. Even worse, Defendant Garg released a video statement claiming that Plaintiff and others terminated at the same time were lazy, refused to work, and fraudulently stole from the company. These statements were false. In fact, Plaintiff's disability was the substantial motivating reason for Defendant terminating her employment and making these false statements against her. Defendant BH and Defendant Garg acted with willful intent to discriminate against Plaintiff based upon her disability. Further, Plaintiff was harmed in that she loss career oppunities, job offers, income, and suffered emotional distress and a damaged professional reputation in an amount to be proven at trial.

Plaintiff has complied with all claims statutes and has received a right to sue letter from the Department of Fair Employment and housing.

SHORT TITLE:

Waller Barnes v. Better Holdings, Inc. et al.

CASE NUMBER

3

(number)

CAUSE OF ACTION—Intentional Tort

Page

6ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

IT-1. Plaintiff (name): Stacey Waller Barnes

alleges that defendant (name): Better Holding, Inc.; and Vishal Garg; and

☒ Does 1 to 100.

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff

on (date): 12/2/2021

at (place): 2010 Crow Canyon Pl. San Ramon, CA

(description of reasons for liability):

FAILURE TO PREVENT DISCRIMINATION [CAL GOV'T CODE SEC. 12940(k) et seq.]

On or about 2021, Plaintiff was employed as a mortgage underwriter and quality control manager for Defendant Better Holding, Inc. doing business as Better.com mortgages. Plaintiff has an impressive upstanding reputation in her field. Defendant Vishal Garg was the chief operating officer managing and operating Better.com. From approximately 8/11/2021 to 10/11/2021, Plaintiff was out from work suffering from a documented disability due to contracting a near fatal case of covid. Plaintiff returned to work on 10/11/2021. Defendants failed to accomodate Plaintiff's known disability. On or about December 2, 2021, acting with full knowledge of Plaintiff's disability, Defendant BH terminated Plaintiff from her job. Even worse, Defendant Garg released a video statement claiming that Plaintiff and others terminated at the same time were lazy, refused to work, and fraudulently stole from the company. These statements were false. In fact, Plaintiff's disability was the substantial motivating reason for Defendant terminating her employment, taking no steps to accomodate her, and making these false statements against her. Defendant BH and Defendant Garg acted with willful intent to discriminate against Plaintiff based upon her disability. Further, Plaintiff was harmed in that she loss career oppunties, job offers, income, and suffered emotional distress and a damaged professional reputation in an amount to be proven at trial.

Additionally, Defendant BH knew and/or should have known that its CEO Garg was incompetent and/or unfit for his job and unable to prevent discrimination against Plaintiff and/or persons similarly situated. Nonetheless, Defendant BH failed to take active steps to prevent Defendant Garg and others from discriminating against Plaintiff.

Plaintiff has complied with all claims statutes and has received a right to sue letter from the Department of Fair Employment and housing.

SHORT TITLE:

Waller Barnes v. Better Holdings, Inc. et al.

CASE NUMBER

4

CAUSE OF ACTION—Intentional Tort

Page

7

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

IT-1. Plaintiff (name): Stacey Waller Barnes

alleges that defendant (name): Better Holding, Inc.; and Vishal Garg; and

☒ Does 1 to 100.

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff

on (date): 12/2/2021

at (place): 2010 Crow Canyon Pl. San Ramon, CA

(description of reasons for liability):

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

On or about 2021, Plaintiff was employed as a mortgage underwriter and quality control manager for Defendant Better Holding, Inc. doing business as Better.com mortgages. As such, Defendant owed Plaintiff a duty to not injure her professional reputation or future business opportunities without cause. Plaintiff has an impressive upstanding reputation in her field. Defendant Vishal Garg was the chief operating officer managing and operating Better.com. From approximately 8/11/2021 to 10/11/2021, Plaintiff was out from work suffering from a documented disability due to contracting a near fatal case of covid. Plaintiff returned to work on 10/11/2021. Defendants failed to accomodate Plaintiff's known disability. On or about December 2, 2021, acting with full knowledge of Plaintiff's disability, Defendant BH terminated Plaintiff from her job. Even worse, Defendant Garg negligently released a video statement claiming that Plaintiff and others terminated at the same time were lazy, refused to work, and fraudulently stole from the company. These statements were false. In fact, Plaintiff's disability was the substantial motivating reason for Defendant terminating her employment, taking no steps to accomodate her, and making these false statements against her. Defendant BH and Defendant Garg acted with willful intent to discriminate against Plaintiff based upon her disability. Further, Plaintiff was harmed in that she loss career oppunties, job offers, income, and suffered emotional distress and a damaged professional reputation in an amount to be proven at trial.

Additionally, Defendant BH knew and/or should have known that its CEO Garg was incompetent and/or unfit for his job and unable to prevent discrimination against Plaintiff and/or persons similarly situated. Nonetheless, Defendant BH failed to take active steps to prevent Defendant Garg and others from discriminating against Plaintiff and injuring her reputation.

Plaintiff has complied with all claims statutes and has received a right to sue letter from the Department of Fair Employment and housing.

SHORT TITLE:

Waller Barnes v. Better Holdings, Inc. et al.

CASE NUMBER

4

CAUSE OF ACTION—Intentional Tort

Page

8

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

IT-1. Plaintiff (name): Stacey Waller Barnes

alleges that defendant (name): Better Holding, Inc.; and Vishal Garg; and

☒ Does 1 to 100.

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff

on (date): 12/2/2021

at (place): 2010 Crow Canyon Pl. San Ramon, CA

(description of reasons for liability):

UNFAIR BUSINESS PRACTICE [B&P sec. 17200]

On or about 2021, Plaintiff was employed as a mortgage underwriter and quality control manager for Defendant Better Holding, Inc. doing business as Better.com mortgages. As such, Defendant owed Plaintiff a duty to not injure her professional reputation or future business opportunities without cause or with false statements. Plaintiff has an impressive upstanding reputation in her field. Defendant Vishal Garg was the chief operating officer managing and operating Better.com. From approximately 8/11/2021 to 10/11/2021, Plaintiff was out from work suffering from a documented disability due to contracting a near fatal case of covid. Plaintiff returned to work on 10/11/2021. Defendants failed to accomodate Plaintiff's known disability. On or about December 2, 2021, acting with full knowledge of Plaintiff's disability, Defendant BH terminated Plaintiff from her job. Even worse, Defendant Garg negligently released a video statement claiming that Plaintiff and others terminated at the same time were lazy, refused to work, and fraudulently stole from the company. These statements were false. In fact, Plaintiff's disability was the substantial motivating reason for Defendant terminating her employment, taking no steps to accomodate her, and making these false statements against her. Defendant BH and Defendant Garg acted with willful intent to discriminate against Plaintiff based upon her disability and retaliate against her for asserting her lawful disability rights. Further, Plaintiff was harmed in that she loss career oppunties, job offers, income, and suffered emotional distress and a damaged professional reputation in an amount to be proven at trial.

Additionally, Defendant BH knew and/or should have known that its CEO Garg was incompetent and/or unfit for his job and unable to prevent discrimination against Plaintiff and/or persons similarly situated. Nonetheless, Defendant BH failed to take active steps to prevent Defendant Garg and others from discriminating against Plaintiff and injuring her reputation.

Plaintiff has complied with all claims statutes and has received a right to sue letter from the Department of Fair Employment and housing.

SHORT TITLE:

Waller Barnes v. BH, Inc. et al.

CASE NUMBER:

Exemplary Damages Attachment

Page

9ATTACHMENT TO ☒ Complaint ☐ Cross - ComplaintEX-1. As additional damages against defendant (*name*):

Better Holdings, Inc.; Vishal Garg; and Does 1 to 100.

Plaintiff alleges defendant was guilty of

- ☒ malice
☒ fraud
☒ oppression

as defined in Civil Code section 3294, and plaintiff should recover, in addition to actual damages, damages to make an example of and to punish defendant.

EX-2. The facts supporting plaintiff's claim are as follows:

Plaintiff incorporates each and every previous allegation as alleged fully herein. Defendant Better Holdings, Inc. and Defendant Garg, as its CEO, operated and ran Better.com. Defendants employed Plaintiff. Defendants, each of them took active steps to discriminate against Plaintiff by failing to accomodate her disability, terminating her for being out on disability, and making false statements against Plaintiff in media online publications that Defendants knew and/or should have known would become public. Defendants knew that the false statements about Plaintiff stealing from the company, and refusing to work were untrue or misleading. Nonetheless, Defendant Garg made such statements with the intent and/or reckless disregard for injuring the professional reputation of Plaintiff and other similarly situated employees like Plaintiff. Defendants Better Holdings knew Defendant Garg made false statements that were injurious to Plaintiff and took actions to discriminate against Plaintiff. Nonetheless, Defendants adopted all said statements. The conduct of each Defendant exceeds all lawful bounds of society. Thereby, Plaintiff seeks exemplary damages.

EX-3. The amount of exemplary damages sought is

- a. ☒ not shown, pursuant to Code of Civil Procedure section 425.10.
b. ☐ \$

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Richard L. Richardson SBN: 250676 Siegal & Richardson LLP 436 14th St., Suite 1106 Oakland, California 94612 TELEPHONE NO.: 510.271.6723 ATTORNEY FOR (Name): Plaintiff		FOR COURT USE ONLY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Contra Costa STREET ADDRESS: 725 Court Street MAILING ADDRESS: CITY AND ZIP CODE: Martinez, CA 94553 BRANCH NAME: Wakefield Taylor Courthouse		FAX NO.: 510.500.9512	
CASE NAME: Stacey Waller Barnes v. Better Holdco, Inc. et al.		CASE NUMBER: C23-01076	
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
		JUDGE: DEPT:	

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input checked="" type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☒ punitive

4. Number of causes of action (specify):

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 5/5/2023
Richard L. Richardson
(TYPE OR PRINT NAME)


(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES**Auto Tort**

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—
Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)
Employment
Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

Superior Court of California, Contra Costa County

CV - Martinez-Wakefield Taylor Courthouse
 725 Court Street
 Martinez CA 94553
 925-608-1000
www.cc-courts.org



K. Bieker
 Court Executive Officer

CASE NAME: STACEY WALLER BARNES VS. VISHAL GARG		CASE NUMBER: C23-01076
1. NOTICE IS HEREBY GIVEN THAT A CASE MANAGEMENT CONFERENCE IS SET IN THE ABOVE ENTITLED CASE AND WILL BE HELD IN THIS COURT ON:		
HEARING DATE: 10/11/2023	HEARING TIME: 8:30 AM	HEARING LOCATION: DEPARTMENT 36 725 COURT ST RM 312 MARTINEZ, CA 94553
THIS FORM, A COPY OF THE NOTICE TO PLAINTIFFS, THE ADR INFORMATION SHEET, A BLANK CASE MANAGEMENT STATEMENT, AND A BLANK ADR CASE MANAGEMENT STIPULATION AND ORDER FORM ARE TO BE SERVED ON OPPOSING PARTIES. ALL PARTIES SERVED WITH SUMMONS AND COMPLAINT/CROSS-COMPLAINT OR THEIR ATTORNEY OF RECORD MUST APPEAR.		
2. YOU MAY STIPULATE TO AN EARLIER CASE MANAGEMENT CONFERENCE. IF ALL PARTIES AGREE TO AN EARLY CASE MANAGEMENT CONFERENCE, PLEASE CONTACT THE COURT CLERK'S OFFICE AT (925)608-1000 FOR UNLIMITED CIVIL AND LIMITED CIVIL CASES FOR ASSIGNMENT OF AN EARLIER DATE. 3. YOU MUST BE FAMILIAR WITH THE CASE AND BE FULLY PREPARED TO PARTICIPATE EFFECTIVELY IN THE CASE MANAGEMENT CONFERENCE AND TO DISCUSS THE SUITABILITY OF THIS CASE FOR THE EASE PROGRAM, PRIVATE MEDIATION, BINDING OR NON-BINDING ARBITRATION, AND/OR USE OF A SPECIAL MASTER. 4. AT ANY CASE MANAGEMENT CONFERENCE THE COURT MAY MAKE PRETRIAL ORDERS INCLUDING THE FOLLOWING: <ul style="list-style-type: none"> a) AN ORDER ESTABLISHING A DISCOVERY SCHEDULE b) AN ORDER REFERRING THE CASE TO ARBITRATION c) AN ORDER TRANSFERRING THE CASE TO LIMITED JURISDICTION d) AN ORDER DISMISSING FICTITIOUS DEFENDANTS e) AN ORDER SCHEDULING EXCHANGE OF EXPERT WITNESS INFORMATION f) AN ORDER SETTING SUBSEQUENT CONFERENCE AND THE TRIAL DATE g) AN ORDER CONSOLIDATING CASES h) AN ORDER SEVERING TRIAL OF CROSS-COMPLAINTS OR BIFURCATING ISSUES i) AN ORDER DETERMINING WHEN DEMURRERS AND MOTIONS WILL BE FILED 		
<u>SANCTIONS</u>		
IF YOU DO NOT FILE THE CASE MANAGEMENT STATEMENT OR ATTEND THE CASE MANAGEMENT CONFERENCE OR PARTICIPATE EFFECTIVELY IN THE CONFERENCE, THE COURT MAY IMPOSE SANCTIONS (INCLUDING DISMISSAL OF THE CASE AND PAYMENT OF MONEY).		

SUPERIOR COURT OF CALIFORNIA, CONTRA COSTA COUNTY

I DECLARE UNDER PENALTY OF PERJURY THAT I AM NOT A PARTY TO THE WITHIN ACTION OR PROCEEDING; THAT ON THE DATE BELOW INDICATED, I SERVED A COPY OF THE FOREGOING NOTICE BY DEPOSITING SAID COPY ENCLOSED IN A SEALED ENVELOPE WITH POSTAGE THEREON FULLY PREPAID IN THE UNITED STATES MAIL AT MARTINEZ, CALIFORNIA AS INDICATED ABOVE.

DATE: 5/10/2023

BY: _____
 T. JACOBSEN-RIOS, DEPUTY CLERK

Superior Court of California, Contra Costa County

CV - Martinez-Wakefield Taylor Courthouse
725 Court Street
Martinez CA 94553
925-608-1000
www.cc-courts.org



K. Bieker
Court Executive Officer

NOTICE OF HEARING HAS BEEN PRINTED FOR THE FOLLOWING ATTORNEYS/FIRMS OR PARTIES FOR
CASE NUMBER: C23-01076 ON 5/10/2023:

RICHARD L RICHARDSON
436 14TH ST
SUITE 1106
OAKLAND CA 94612